APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	08/991,855	KII ET AL.
Office Action Summary	Examiner	Art Unit
	King Y. Poon	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 August 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-29_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-29_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _16 December 1997_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

8/28/2003 has been entered.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

2. Claims 26, 27, 28, 29 are rejected under 35 U.S.C. 102(e) as being anticipated by

Peters (US5,893,098).

Regarding claim 26: Peters teaches a method of managing an electronic

message having a message content and reply choices (fig. 6) to the electronic

message, comprising: storing data (# 102 of fig. 13, fig. 6, bulletin board of column 3

line 5-15, and column 37 line 59-65) for fixed form replies in advance of the electronic

message (the question could be entered after the reply, column 17, lines 25-35, column

18, lines 40-45) and the replies having a reply content independent of the content of the

electronic message (column 17, lines 25-35, teaches that the message and the reply

are independently entered) allowing use of the fixed form reply with other electronic

message (column 17, lines 40-45, teaches rely "yes" to message "leave" is also used

together with message "destination"); outputting (the program that controls the

transmitting of survey document, column 8, lines 35-45) the electronic message with the

stored data for the fixed form replies, selecting, subsequent to inputting the electronic

message, certain of the outputted fixed form replies as the reply choices to the message

(fig. 6).

Regarding claim 27: Peter teaches a fixed form reply managing means (collation

mean, column 8, lines 63) for managing the fixed form replies by data for respectively

specifying the plurality of replies, (the survey document and its data, column 8 line 63-

68, column 9 line 1-19) and totaling means (adding, column 4, lines 25-27, of the reply

data is equivalent to the teaching of using a totaling means in Peter's system because

the function of a totaling mean is to add, and Peter would need a totaling means for

performing the addition) for totaling a number of the selection of the fixed form replies

as the reply choice to the message, and storing results of the totalization of each of

fixed form replies to the message in relation to said specifying data. (graphic plot with added and manipulated data, column 4 line 25-27).

Regarding claim 28: Peters teaches a method of managing an electronic message having message content (column 14, lines 19-32) comprising: storing replies (# 102 of fig. 13, fig. 6, column 3, lines 64-68, column 4, lines 30-45, column 16, lines 45-55) for the electronic message (column 14, lines 19-32) with the replies having a reply content independent of the content of the electronic message (column 17, lines 25-35, teaches that the message and the reply are independently entered) allowing use of the fixed form reply with other electronic message (column 17, lines 40-45, teaches rely "yes" to message "leave" is also used together with message "destination"); receiving the electronic message and presenting the electronic message to a recipient (respondents column 19, lines 5-25); presenting the replies to the recipient and allowing the recipient to select one of the replies; (e.g., fig. 6) and sending the selected one of the replies (column 8, lines 47-55).

Regarding claim 29: Peters teaches a method of managing an electronic message having message content (column 14, lines 19-32) comprising: pre-creating content independent reusable replies (on selection data values chosen automatically, column 15, lines 60-67, column 16, lines 1-15); and allowing a recipient (respondent, column 4, lines 30-45) of an electronic message (question, column 15, lines 5-10) to select one of the replies as the reply to the electronic message.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
>
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
>
> the prior art are such that the subject matter as a whole would have been obvious at the time the
>
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
>
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-4, 6-22, 24-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Peter et al. (U.S. Patent # 5893098) and Pinter (U.S. Patent #

5894506).

Regarding claim 1: Peter teaches an electronic news system (fig. 13) for

managing electronic messages (see the question of options that best describes a

vehicle of fig. 6) having a message content and a reply, (see fig. 6) to the message

comprising: storage means (# 102 of fig. 13, fig. 6, bulletin board of column 3 line 5-15,

and column 37 line 59-65) for storing data for a fixed form reply, inputted in advance of

the message (the question could be entered after the reply, column 17, lines 25-35,

column 18, lines 40-45) and having a reply content independent of the content of the

electronic message (column 17, lines 25-35, teaches that the message and the reply

are independently entered) allowing use of the fixed form reply with other electronic

message (column 17, lines 40-45, teaches reply "yes" to message "leave" is also used

together with message "destination"); input means (the program that allows the input of

the message/question only, column 14, lines 24-30) for inputting the electronic message

without information about a reply to the message; output means (the program that

controls the transmitting of survey document, column 8, lines 35-45) for outputting the

message with the data for the fixed form reply to the message (survey document, e.g.,

fig. 8), the data for a fixed form reply independent of the message (e.g., fig. 8) retrieved

from the storage means and inputted separately from the message (column 14, lines

45-67, column 15, lines 1-30); and control means (2 of fig. 1) for accepting only a

selection out of an outputted data for a reply (see column 8 line 48-55) as the reply to

the message.

Peter does not specifically disclose that the message and the reply data are

stored separately.

However, Pinter, in the same area of managing an electronic message and a

reply to the message, (abstract, column 1, lines 40-65, column 2, lines 1-35) teaches to

store a reply data (response options, column 2, lines 34) separately from a message

(canned messages, column 2, lines 14, column 1, lines 40-50; the canned messages

are stored in a canned message file, column 1, lines 50-67, and the response options

are stored in a multiple response options file, column 2, lines 23-27, column 5, lines 15-

20).

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time of invention to have modified the electronic system of Peter by: storing the

reply data separately from the message.

It would have been obvious to a person having ordinary skill in the art at the time

of invention to have modified Peter by the teaching of Pinter because of the following

reasons: (a) it would have allowed a user to retrieve and display the message and

question quickly, and would have been helpful for the user, (b) it would have allowed

the system being easily maintained and altered, (c) it would have provided an improved

electronic message system, as taught by Pinter, at column 1, lines 35-40, and (d)

storing the "reply data" and the "message" separately provides the advantages of

keeping easy inventory of the reply to each message and allowed the user(s) to keep

track of each reply and each message in a separate file. Thereby, the reply and the

message can be easily managed and accessible to the user(s).

Regarding claim 2: Peter teaches a fixed form reply managing means (collation

mean, column 8, lines 63) for managing a plurality of replies by data for respectively

specifying the plurality of replies, (the survey document and its data, column 8 line 63-

68, column 9 line 1-19) and totaling means (adding, column 4, lines 25-27, of the reply

data is equivalent to the teaching of using a totaling means in Peter's system because

the function of a totaling mean is to add, and Peter would need a totaling means for

performing the addition) for totaling a number of the selection of each of fixed form

replies as the reply to the message, and storing results of the totalization of each of

fixed form replies to the message in relation to said specifying data. (graphic plot with

added and manipulated data, column 4 line 25-27).

Regarding claim 3 and 4: Peter teaches the control means has means for

accepting an input of a free form reply by the respondent user in reply to the survey

message, (See column 8 line 48-57), and managing the inputted free form reply in

relation to data to specify the message. (Managing free form reply data associated with

the message (fig. 6) by constructing a data base for it, Column 8, lines 48-57).

Regarding claim 6: Peter teaches wherein the control means includes means for

causing the output means to output data for a fixed form reply of the kind which fits

contents of the message. (See a respondent for producing a response document with

replies which fits contents of the message, and automatically transmit (causing the

output means to output data) the reply back to a collation mean, column 8, lines 39-55).

Regarding claim 7: Peter et al teaches an electronic news system (fig. 1 and fig.

13) including a client apparatus (# 7 of fig.1) and a server apparatus (# 1, 2 of fig.1)

which manages an electronic message having a message content (see the question of

options that best describes a vehicle of fig. 6) and a reply to the message transmitted

from the client apparatus (see abstract) the client apparatus comprising: storage means

(# 102 of fig. 13, fig. 6, bulletin board of column 3 line 5-15, and column 37 line 59-65)

for storing data for a fixed form reply, inputted in advance of the message (the question

could be entered after the reply, column 17, lines 25-35, column 18, lines 40-45) and

having a reply content independent of the content of the electronic message (column

17, lines 25-35, teaches that the message and the reply are independently entered)

allowing use of the fixed form reply with other electronic message (column 17, lines 40-

45, teaches rely "yes" to message "leave" is also used together with message

"destination"); input means (new question menu and the area for question text, column

12, lines 55-61) for inputting the electronic message without information about a reply to

the message; output means (the program that controls the transmitting of survey

document, column 8, lines 35-45) for outputting the message with the data for the fixed

form reply to the message (survey document, e.g., fig. 8) retrieved from the storage

means, the data for the fixed form reply independent of the message (e.g., fig. 8); a

control mean (see processing apparatus of column 12 line 10) for accepting only a

selection out of an outputted data for a reply to the message (see fig. 6, and column 8

line 48-55); and a communication control means (the output means used to output the

response document, column 8, line 53) for transmitting the selection to the server

apparatus.

Peter does not specifically disclose that the message and the reply data are

stored separately.

However, Pinter, in the same area of managing an electronic message and a

reply to the message, (abstract, column 1, lines 40-65, column 2, lines 1-35) teaches to

store a reply data (response options, column 2, lines 34) separately from a message

(canned messages, column 2, lines 14, column 1, lines 40-50; the canned messages

are stored in a canned message file, column 1, lines 50-67, and the response options

are stored in a multiple response options file, column 2, lines 23-27, column 5, lines 15-

20).

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time of invention to have modified the electronic system of Peter by: storing the

reply data separately from the message.

It would have been obvious to a person having ordinary skill in the art at the time

of invention to have modified Peter by the teaching of Pinter because of the following

reasons: (a) it would have allowed a user to retrieve and display the message and

question quickly, and would have been helpful for the user, (b) it would have allowed

the system being easily maintained and altered, (c) it would have provided an improved

electronic message system, as taught by Pinter, at column 1, lines 35-40, and (d)

storing the "reply data" and the "message" separately provides the advantages of

keeping easy inventory of the reply to each message and allowed the user(s) to keep

track of each reply and each message in a separate file. Thereby, the reply and the

message can be easily managed and accessible to the user(s).

Regarding claim 8: Peter teaches means for accepting an input of a free form

reply to the message reply in the control means (see column 8 line 51-52, and fig. 6),

and the server apparatus comprises free form reply managing means for managing the

free form reply (see 102 and collator of fig. 13) transmitted from the client apparatus in

relation to data for specifying the message. (See the reply associated with the message

from the client in the server by loading the data base with replies, such that the replies

associate with the message are all conveniently presented in the database, column 8

line 54-59, and column 4 line 24-27).

Regarding claim 9: Peter teaches an electronic news system (fig. 1, fig. 13)

having a client (8 of fig. 1) and a server apparatus (1 of fig. 1) which manages electronic

messages having corresponding message content (response document of column 8 line

53) transmitted from the client, (see abstract, column 8 line 45-59, column 4 line 24-27)

the server apparatus comprising: storage means (# 102 of fig. 13, fig. 6, bulletin board

of column 3 line 5-15, and column 37 line 59-65) for storing data for a fixed form reply,

inputted in advance of the message (the question could be entered after the reply,

column 17, lines 25-35, column 18, lines 40-45) and having a reply content independent

of the content of the electronic message (column 17, lines 25-35, teaches that the

message and the reply are independently entered) allowing use of the fixed form reply

with other electronic message (column 17, lines 40-45, teaches rely "yes" to message

"leave" is also used together with message "destination"); and a communication control

means for transmitting data for a reply to the client apparatus; (See column 2 line 62,

fig. 6); the client apparatus comprising: a receiving control means (column 12 line 10,

the processor used to control receiving of data) for receiving data for a fixed form reply

sent from the server apparatus, (see column 8 line 45-46), the data for a fixed form

reply independent of the electronic message (e.g., fig. 8); input means (the entering

device for the author used to edit the question, column 14, lines 30-50, column 15, lines

1-30) for inputting the electronic message without information about a reply to the

message; output means (the processor, column 12, line 10, used to control outputting of

data) for outputting the message with the received data for a reply in a screen (e.g., fig.

6) and; a control means (column 8 line 50) for accepting only the selection (e.g., fig.6)

out of the outputted data for a reply (see column 8 line 48-55) as a reply to the

message, and transmission control means (the control used to transmit the response,

column 8, line 53) for controlling the transmission for transmitting the selected reply

(document) to the server apparatus. (See column 8 line 50-55, 2, fig. 1, abstract)

Peter does not specifically disclose that the message and the reply data are stored separately.

However, Pinter, in the same area of managing an electronic message and a reply to the message, (abstract, column 1, lines 40-65, column 2, lines 1-35) teaches to store a reply data (response options, column 2, lines 34) separately from a message (canned messages, column 2, lines 14, column 1, lines 40-50; the canned messages are stored in a canned message file, column 1, lines 50-67, and the response options are stored in a multiple response options file, column 2, lines 23-27, column 5, lines 15-20).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of invention to have modified the electronic system of Peter by: storing the reply data separately from the message.

It would have been obvious to a person having ordinary skill in the art at the time of invention to have modified Peter by the teaching of Pinter because of the following reasons: (a) it would have allowed a user to retrieve and display the message and question quickly, and would have been helpful for the user, (b) it would have allowed the system being easily maintained and altered, (c) it would have provided an improved electronic message system, as taught by Pinter, at column 1, lines 35-40, and (d) storing the "reply data" and the "message" separately provides the advantages of keeping easy inventory of the reply to each message and allowed the user(s) to keep track of each reply and each message in a separate file. Thereby, the reply and the message can be easily managed and accessible to the user(s).

Regarding claim 10: Peter teaches wherein the client apparatus comprises fixed

form reply managing means (column 8 line 50) for managing a plurality of fixed form

replies by data for respectively specifying the plurality of replies (response) (see column

8 line 50-68, fig. 6), and communication control means, (control program of the

processor used to control data transmission, column 8, lines 53) for transmitting

specifying data of the selected reply to the server apparatus as a reply, (See column 8

line 50-67), and the server apparatus comprises communication control means (control

used to controlling data receiving, column 3, lines 35-40) for receiving the specifying

data transmitted from the client apparatus as a reply, (see column 3 line 35-40), and

totaling means (adding, column 4, lines 25-27, of the reply data is equivalent to the

teaching of using a totaling means in Peter's system because the function of a totaling

mean is to add, and Peter would need a totaling means for performing the addition) for

totaling a number of the selection of each reply as the reply to the message based on

the specifying data, and storing the results of the totalization of each reply to the

message in relation the specifying data (graphic plot with added and manipulated data,

column 4 line 25-27).

Regarding claims 11 and 12: Peter teaches wherein the client apparatus

comprises means for accepting an input of a free form reply to the message in a control

means (see column 8, line 51-52, and fig. 6); and the server apparatus comprises free

form reply managing means for managing free form reply (see 102 and collator of fig.

13, column 8, line 60-68) transmitted from the client apparatus in relation to the data for

specifying the message (column 8, lines 54-68, and column 4, lines 24-27).

Regarding claim 13: Peter teaches an electronic news system (fig. 1, fig. 13)

including a client (8 of fig. 1) apparatus and a server apparatus (1 of fig. 1) which

manages an electronic message having a message content and a reply to the message

(response document of column 8 line 53) transmitted from the client apparatus, (see

abstract, column 8 line 45-59, column 4 line 24-27) the server apparatus comprising:

storage mean (fig. 6, bulletin board of column 3 line 5-15, and column 37 line 59-65) for

storing data for a first fixed form reply, the messages are independent from the fixed

form reply (e.g., fig. 8), and inputted in advance of the message (the question could be

entered after the reply, column 17, lines 25-35, column 18, lines 40-45) and having a

reply content independent of the content of the electronic message (column 17, lines

25-35, teaches that the message and the reply are independently entered) allowing use

of the fixed form reply with other electronic message (column 17, lines 40-45, teaches

rely "yes" to message "leave" is also used together with message "destination"); and a

communication control means for transmitting data for a reply to the client apparatus;

and a communication control means for transmitting the data for the first fixed form reply

to the client apparatus; (See column 2 line 62, fig. 6); the client apparatus comprising: a

receiving control means (column 12 line 10, the processor used to control receiving of

data) for receiving the first data for the first fixed form reply sent from the server

apparatus, (see column 8 line 45-46), storing means (the storage in the client that is

used to store the E-mail, column 3, lines 5-30, column 4, lines 25-50) for storing data for

second fixed form reply, (two fixed form reply, column 4, lines 25-48), input means (the

entering device for the author used to edit the question, column 14, lines 30-50, column

15, lines 1-30) for inputting the electronic message without information about a reply to

the message; output means (the processor, column 12, line 10, used to control

outputting of data) for outputting the message with the data for the first fixed form reply

or the second fixed form reply in a screen (e.g., fig. 6, fig. 8) and; control means

(column 8 line 50) for accepting only a selection (fig.6) out of the outputted data for the

first fixed form reply (see column 8, lines 48-55) or the second fixed form reply based on

the category (the category of person that like chocolate, column 4, lines 35-50) of the

message as the reply to the message, and means for controlling transmission (the

control used to transmit the response, column 8, line 53) for transmitting the selected

reply (document) out of the data for the first fixed form reply or the second fixed form

reply to the server apparatus. (See column 8, lines 50-55, 2, fig. 1, abstract).

Peter does not specifically disclose that the message and the reply data are

stored separately.

However, Pinter, in the same area of managing an electronic message and a

reply to the message, (abstract, column 1, lines 40-65, column 2, lines 1-35) teaches to

store a reply data (response options, column 2, lines 34) separately from a message

(canned messages, column 2, lines 14, column 1, lines 40-50; the canned messages

are stored in a canned message file, column 1, lines 50-67, and the response options

are stored in a multiple response options file, column 2, lines 23-27, column 5, lines 15-

20).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of invention to have modified the electronic system of Peter by: storing the reply data separately from the message.

It would have been obvious to a person having ordinary skill in the art at the time of invention to have modified Peter by the teaching of Pinter because of the following reasons: (a) it would have allowed a user to retrieve and display the message and question quickly, and would have been helpful for the user, (b) it would have allowed the system being easily maintained and altered, (c) it would have provided an improved electronic message system, as taught by Pinter, at column 1, lines 35-40, and (d) storing the "reply data" and the "message" separately provides the advantages of keeping easy inventory of the reply to each message and allowed the user(s) to keep track of each reply and each message in a separate file. Thereby, the reply and the message can be easily managed and accessible to the user(s).

Regarding claim 14: Peter teaches that the server apparatus comprises: fixed form reply managing means (2 of column 12 line 5-6) for managing a plurality of first fixed form replies (fig. 6, and fig. 8) with data for respectively specifying (see the specifying reply data of fig. 6, fig. 8) the replies, and means (column 3 line 5-17) for transmitting the specifying data of the first fixed form reply to the client apparatus along with the reply. The client apparatus comprises: fixed form reply managing means (see respondent control means of column 8 line 49-50) for managing a plurality of second fixed form replies (fig. 8) with the data for respectively specifying said replies, (column 8 line 45-68) and means (2 of column 12 line 5-6, abstract) for causing the transmission

controlling means to transmit the selected second reply or the selected specifying data

of the first reply to the server apparatus as a reply (see column 8 line 50-55). The

server apparatus further comprises: means (column 3 line 5-17) for transmitting

specifying data of the second fixed form reply to the client apparatus; means (collator of

fig. 13, abstract) for receiving the second reply or specifying data of the first reply

transmitted from the client apparatus as a reply in the communication control means;

and totaling means (adding, column 4, lines 25-27, of the reply data is equivalent to the

teaching of using a totaling means in Peter's system because the function of a totaling

mean is to add, and Peter would need a totaling means for performing the addition) for

totaling a number of the selections of each reply as the reply to the message based on

the specifying data, and storing the results of the totalization of each reply to the

message in relation the specifying data (graphic plot with added and manipulated data,

column 4 line 25-27). The client apparatus further comprises: means for receiving (see

processing apparatus of column 12 line 10) the specifying data of the second fixed form

reply sent from the server apparatus in the receiving control means, (abstract) and

means (see display of 7 of fig. 1, and processing apparatus of column 12 line 10) for

outputting the stored second fixed form reply based on the specifying data in the output

means.

Regarding claims 15 and 16: Peter teaches wherein the client apparatus

comprises means for accepting an input of a free form reply (response) to the message,

in a control means (see column 8 line 51-52, and fig. 6), and the server apparatus

comprises free form reply managing means for managing the free form reply (see 102

and collator of fig. 13) in relation to data for specifying the reply message (column 8 line 60-68) transmitted from the client, in the server by loading the data base with replies, such that the replies are all conveniently presented in the database. (See column 8 line 54-59, and column 4 line 24-27).

Regarding claims 17-20: Peter teaches a recording medium (column 10 line 11) readable by a computer to control the system of claims 1-4. Please see discussion on claims 1-4.

Regarding claims 21: Peter et al teaches a message system (fig. 1) for an electronic message having a message content (column 14, lines 24-30) comprising: a reply data storage device storing a plurality of fixed form replies set (see bulletin board and column 3 line 1-13) containing a plurality of replies (e.g., fig. 6) and having a reply content independent of the content of the electronic message (column 17, lines 25-35, teaches that the message and the reply are independently entered) allowing use of the fixed form reply with other electronic message (column 17, lines 40-45, teaches rely "yes" to message "leave" is also used together with message "destination"); an input device (the entering device for the author used to edit the question, column 14, lines 30-50, column 15, lines 1-30) for inputting the electronic message without information about a reply to the message; a controller (the control of the computer used as a bulletin board, e.g., # 1 of fig. 1) for receiving the message from a host (2, fig. 1, abstract) and allowing a user to retrieve a reply from the selected fix form reply set (see column 4, lines 35-40) stored in the reply data storage device, the fixed form reply set independent of the message (e.g., fig. 8) inputted in advance of the message (the

question could be entered after the reply, column 17, lines 25-35, column 18, lines 40-45); and an output device (the control controlling transmitting of data, column 8, line 53) outputting the selected reply to the host. (See column 8 line 53, abstract).

Peter does not specifically disclose that the message and the reply data are stored separately.

However, Pinter, in the same area of managing an electronic message and a reply to the message, (abstract, column 1, lines 40-65, column 2, lines 1-35) teaches to store a reply data (response options, column 2, lines 34) separately from a message (canned messages, column 2, lines 14, column 1, lines 40-50; the canned messages are stored in a canned message file, column 1, lines 50-67, and the response options are stored in a multiple response options file, column 2, lines 23-27, column 5, lines 15-20).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of invention to have modified the electronic system of Peter by: storing the reply data separately from the message.

It would have been obvious to a person having ordinary skill in the art at the time of invention to have modified Peter by the teaching of Pinter because of the following reasons: (a) it would have allowed a user to retrieve and display the message and question quickly, and would have been helpful for the user, (b) it would have allowed the system being easily maintained and altered, (c) it would have provided an improved electronic message system, as taught by Pinter, at column 1, lines 35-40, and (d) storing the "reply data" and the "message" separately provides the advantages of

keeping easy inventory of the reply to each message and allowed the user(s) to keep

track of each reply and each message in a separate file. Thereby, the reply and the

message can be easily managed and accessible to the user(s).

Regarding claim 22: Peter teaches that the selection of a fixed form reply set is

based on a category (yes or no to "do you like chocolate", column 4, lines 30-50) of the

message.

Regarding claim 24: Peter teaches wherein the host receives a plurality of the

outputted selected fixed form replies and displays a bar graph illustrating a frequency of

responses. (See column 4, lines 24-27, fig, 12, column 20, lines 40-67, column 21, lines

1-10)

Regarding claim 25: Peter teaches a computer readable storage medium storing

a computer program (column 10 line 1-35) instructing computers to perform operations

for an electronic message having a message content, (column 14, lines 24-30): storing

a plurality of fixed form replies set (see bulletin board and column 3, line 1-13), each

fixed form reply set containing a plurality of replies and each set having a reply content

independent of the content of the electronic message (column 17, lines 25-35, teaches

that the message and the reply are independently entered) allowing use of the fixed

form reply with other electronic message (column 17, lines 40-45, teaches rely "yes" to

message "leave" is also used together with message "destination"); inputting (new

question menu and the area for question text, column 12, lines 55-61) the electronic

message without information about a reply to the message;(fig. 6) storing the message,

(see bulletin board and column 3 line 1-13, yes of the question "do you like chocolate",

column 4, lines 30-45) the message being inputted after the fixed from reply set (the

question could be entered after the reply, column 17, lines 25-35, column 18, lines 40-

45); receiving the message (column 4, lines 30-50) from a host; (2, fig. 1, abstract)

selecting a reply from the selected fix form reply set (yes, or no, column 4, lines 25-50)

independent of the message (e.g. fig. 8); allowing a user to choose a reply from the

selected fixed form reply set; (column 4, lines 25-50); sending the chosen reply to the

host (column 8, lines 53).

Peter does not specifically disclose that the message and the reply data are

stored separately.

However, Pinter, in the same area of managing an electronic message and a

reply to the message, (abstract, column 1, lines 40-65, column 2, lines 1-35) teaches to

store a reply data (response options, column 2, lines 34) separately from a message

(canned messages, column 2, lines 14, column 1, lines 40-50; the canned messages

are stored in a canned message file, column 1, lines 50-67, and the response options

are stored in a multiple response options file, column 2, lines 23-27, column 5, lines 15-

20).

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time of invention to have modified the electronic system of Peter by: storing the

reply data separately from the message.

It would have been obvious to a person having ordinary skill in the art at the time

of invention to have modified Peter by the teaching of Pinter because of the following

reasons: (a) it would have allowed a user to retrieve and display the message and

question quickly, and would have been helpful for the user, (b) it would have allowed

the system being easily maintained and altered, (c) it would have provided an improved

electronic message system, as taught by Pinter, at column 1, lines 35-40, and (d)

storing the "reply data" and the "message" separately provides the advantages of

keeping easy inventory of the reply to each message and allowed the user(s) to keep

track of each reply and each message in a separate file. Thereby, the reply and the

message can be easily managed and accessible to the user(s).

5.   Claims 5, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Peters and Pinter as applied to claims 1, and 21 above and further in view of Ginter et

al. (U.S. Patent # 5982891).

        Regarding claims 5, 23: Peter teaches to select a text and still picture as free

form reply. (Fig. 6)

        Peter in view of Pinter do not teach to select speech, sound, and moving pictures

as free form reply.

        Ginter et al. teach that usage information used in a survey (see column 36 line

30-40) transmitted from one party to another can be selected from speech, sound, and

moving pictures. (See column 58, line 55-65).

        Therefore, it would have been obvious to a person with ordinary skill in the art at

the time the invention was made to have modified Peter in view of Pinter: by selecting

the free form reply to be represented in forms of speech, sound, and moving pictures.

It would have been obvious to a person with ordinary skill in the art at the time

the invention was made to have modified Peter in view of Pinter by the teaching of

Ginter et al. because of the following reasons: (a) selecting electronic information to be

represented in forms of speech, sound, and moving pictures would have allowed the

information being easily understood by a user and would be helpful for the user in

making the reply.

Response to Arguments

6.   Applicant's arguments filed 8/28/2003 have been fully considered but they are

not persuasive.

With respect to applicant's argument that Pinter does not teach storing canned

message and response in a separate file.

Pinter (column 1, lines 40-65, column 2, lines 1-35) teaches to store a reply data

(response options, column 2, lines 34) separately from a message (canned messages,

column 2, lines 14, column 1, lines 40-50; the canned messages are stored in a canned

message file, column 1, lines 50-67, and the response options are stored in a multiple

response options file, column 2, lines 23-27, column 5, lines 15-20).

Column 5, lines 15-20, Pinter clearly teaches there are canned message file and

a canned multiple response options file in the system. From the two different files,

logically, Pinter uses the canned message file for storing the canned message and uses

the canned multiple response options file to store the canned multiple response. Fig. 6,

100, only shows that both the canned message file and the response option file need to

be updated. For example, by showing a prison cell and a hotel room, a prisoner and a

hotel guest; logically, a rational person would know that the prisoner would sleep in the

prison cell and the hotel guest would sleep in the hotel room.

With respect to applicant's argument that Peters does not teach pre-created

content independent reusable replies, has been considered.

Peters, column 15, lines 60-68, column 16, lines 1-15, and column 16, lines 45-

55, clearly teaches to use Yes and No as pre-created content independent reusable

replies.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to King Y. Poon whose telephone number is (703) 305-

0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

11/26/03